



5-16-5 office petition

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Express Mail Label No. _____	Dated: _____
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Docket No.: 09634/100L257-US1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Bunpei Toji et al.

Allowed: @@@

Application No.: 10/670,913

Confirmation No.: 6524

Filed: September 24, 2003

Art Unit: 2676

For: DISPLAY EQUIPMENT, DISPLAY METHOD,  
AND STORAGE MEDIUM STORING A  
DISPLAY CONTROL PROGRAM USING  
SUB-PIXELS

Examiner: M. Rahmjoo

**PETITION TO WITHDRAW APPLICATION FROM  
ISSUE PURSUANT TO 37 CFR 1.313(c)(2)**

MS 313(c)  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Petitioner hereby petitions the Commissioner to withdraw the above-identified application from issue. The Issue Fee in this application was timely paid on April 7, 2005.

Our check in the amount of \$920.00 covering the fee set forth in 37 CFR 1.17(h) and 1.17(e) is enclosed.

Petitioner respectfully petitions that the above-identified application be withdrawn from issue in order to permit consideration of a submission under 37 CFR 1.114 (Request for Continued Examination with an Information Disclosure Statement) a copy of which is enclosed.

05/18/2005 EFLORES 00000014 10670913


02 FC:1464

130.00 DP

The Commissioner is authorized to charge any deficiency or credit any excess in this fee to Deposit Account No. 04-0100.

Dated: May 12, 2005

Respectfully submitted,

By  (53,970)  
Richard J. Katz

Registration No.: 47,698

DARBY & DARBY P.C.

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New York, New York 10150-5257

(212) 527-7700

(212) 527-7701 (Fax)

Attorneys/Agents For Applicant



PTO/SB/17p (11-04)

Approved for use through 7/31/2007. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

<b>PETITION FEE</b> <b>Under 37 CFR 1.17(f), (g) &amp; (h)</b> <b>TRANSMITTAL</b> (Fees are subject to annual revision)  Send completed form to: MS 313(c) Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	<b>Application Number</b>	10/670,913-Conf. #6524
	<b>Filing Date</b>	September 24, 2003
	<b>First Named Inventor</b>	Bunpei Toji
	<b>Art Unit</b>	2676
	<b>Examiner Name</b>	M. Rahmjoo
	<b>Attorney Docket Number</b>	09634/100L257-US1

Enclosed is a petition filed under 37 CFR 1.313 that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$ 130.00 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(i), see form PTO/SB/17i.

**Payment of Fees** (small entity amounts are NOT available for the petition fees).

- ☐ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. \_\_\_\_\_ :  
☐ Petition fee under 37 CFR 1.17(f), (g) or (h) ☒ Any deficiency of fees and credit of any overpayments  
Enclose a duplicative copy of this form for fee processing.
- ☒ Check in the amount of \$ 920.00 is enclosed.
- ☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

**Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462**

For petitions filed under:

- § 1.53(e) – to accord a filing date.
- § 1.57(a) – to accord a filing date.
- § 1.182 – for decision on a question not specifically provided for.
- § 1.183 – to suspend the rules.
- § 1.378(e) – for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.
- § 1.741(b) – to accord a filing date to an application under § 1.740 for extension of a patent term.

**Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463**


For petitions filed under:

- § 1.12 – for access to an assignment record.
- § 1.14 – for access to an application.
- § 1.47 – for filing by other than all the inventors or a person not the inventor.
- § 1.59 – for expungement of information.
- § 1.103(a) – to suspend action in an application.
- § 1.136(b) – for review of a request for extension of time when the provisions of section 1.136(a) are not available.
- § 1.295 – for review of refusal to publish a statutory invention registration.
- § 1.296 – to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.
- § 1.377 – for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.
- § 1.550(c) – for patent owner requests for extension of time in ex parte reexamination proceedings.
- § 1.956 – for patent owner requests for extension of time in inter partes reexamination proceedings.
- § 5.12 – for expedited handling of a foreign filing license.
- § 5.15 – for changing the scope of a license.
- § 5.25 – for retroactive license.

**Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464**

For petitions filed under:

- § 1.19(g) – to request documents in a form other than that provided in this part.
- § 1.84 – for accepting color drawings or photographs.
- § 1.91 – for entry of a model or exhibit.
- § 1.102(d) – to make an application special.
- § 1.138(c) – to expressly abandon an application to avoid publication.
- § 1.313 – to withdraw an application from issue.
- § 1.314 – to defer issuance of a patent.

 _____ Signature	<u>May 12, 2005</u> _____ Date
Richard J. Katz _____ Typed or printed name	<u>47,698</u> _____ Registration No., if applicable

Express Mail Label No.

Dated: \_\_\_\_\_



## FEE SUMMARY SHEET

### Petition to Withdraw Application from Issue (37 CFR 1.313)

Date: May 12, 2005  
Time: 12:52 PM  
Docket: 09634/100L257-US1

Filing Date: September 24, 2003  
Application No: 10/670,913  
Total Fee: \$ 920.00

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Code	Amount	37 CFR	Fee Description	Listed on
1464	130.00	1.17(h)	Petitions to the Director not specifically provided for (Group III)	Fee Transmittal -- Petition (PTO SB-17p)
1801	790.00	1.17(e)	Request for continued examination (RCE) (see 37 CFR 1.114)	Fee Transmittal (PTO SB-17)



PTO/SB/17 (12-04v2)

Approved for use through 7/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

<b>Effective on 12/08/2004.</b> <b>Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</b> <b>FEE TRANSMITTAL</b> <b>For FY 2005</b>		<b>Complete if Known</b>	
		Application Number	10/670,913-Conf. #6524
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	September 24, 2003
		First Named Inventor	Bunpei Toji
		Examiner Name	M. Rahmjoo
TOTAL AMOUNT OF PAYMENT		(\$)	920.00
		Attorney Docket No.	09634/100L257-US1

<b>METHOD OF PAYMENT (check all that apply)</b>	
<input checked="" type="checkbox"/> Check	<input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify): _____
<input type="checkbox"/> Deposit Account	Deposit Account Number: 04-0100 Deposit Account Name: Darby & Darby P.C.
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
<input type="checkbox"/> Charge fee(s) indicated below	<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17	<input checked="" type="checkbox"/> Credit any overpayments

<b>FEE CALCULATION</b>							
<b>1. BASIC FILING, SEARCH, AND EXAMINATION FEES</b>							
	<b>FILING FEES</b>		<b>SEARCH FEES</b>		<b>EXAMINATION FEES</b>		
<b>Application Type</b>	<b>Fee (\$)</b>	<b>Small Entity Fee (\$)</b>	<b>Fee (\$)</b>	<b>Small Entity Fee (\$)</b>	<b>Fee (\$)</b>	<b>Small Entity Fee (\$)</b>	<b>Fees Paid (\$)</b>
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	
<b>2. EXCESS CLAIM FEES</b>							
						<b>Small Entity</b>	
<b>Fee Description</b>						<b>Fee (\$)</b>	<b>Fee (\$)</b>
Each claim over 20 (including Reissues)						50	25
Each independent claim over 3 (including Reissues)						200	100
Multiple dependent claims						360	180
<b>Total Claims</b>		<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>	<b>Multiple Dependent Claims</b>		
_____		_____	x _____	= _____	<b>Fee (\$)</b>		<b>Fee Paid (\$)</b>
<b>Indep. Claims</b>		<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>			
_____		_____	x _____	= _____			
<b>3. APPLICATION SIZE FEE</b>							
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
<b>Total Sheets</b>	<b>Extra Sheets</b>	<b>Number of each additional 50 or fraction thereof</b>		<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>		
_____	- 100 = _____	/50 _____ (round up to a whole number) x _____		= _____			
<b>4. OTHER FEE(S)</b>							
						<b>Fees Paid (\$)</b>	
Non-English Specification, \$130 fee (no small entity discount)							
Other (e.g., late filing surcharge): 1464 Petitions to the Director not specifically ...						130.00	
1801 Request for continued examination (RCE) (see 37 ...						790.00	

<b>SUBMITTED BY</b>			
Signature		Registration No. (Attorney/Agent)	47,698
Name (Print/Type)	Richard J. Katz	Telephone	(212) 527-7700
		Date	May 12, 2005

Express Mail Label No.

Dated: \_\_\_\_\_



Application No. (if known): 10/670,913

Attorney Docket No.: 09634/100L257-US1

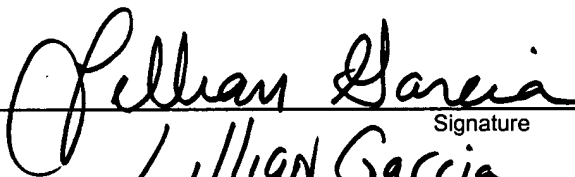
## Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. \_\_\_\_\_ in an envelope addressed to:

**EV 447 561 066 - US**

MS 313 (c)  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on May 12, 2005  
Date

  
\_\_\_\_\_  
Signature

LILLIAN Garcia  
\_\_\_\_\_  
Typed or printed name of person signing Certificate

\_\_\_\_\_  
Registration Number, if applicable

\_\_\_\_\_  
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Petition Fee Transmittal (1pp)  
Fee Transmittal (1pp)  
Petition to Withdraw Application from Issue (RCE) (2pp)  
Request for Continued Examination Transmittal (1pp)  
Information Disclosure Statement (2pp)  
PTO/SB/08a with 5 documents  
Check in the amount of \$920.00 8559  
Return receipt postcard